

To:
Office of Planning and Research

For U.S. Mail:
P.O. Box 3044
Sacramento, CA 95812-3044

Street Address:
1400 Tenth Street
Sacramento, CA 95814

From:
Department of Fish and Wildlife
Northern Region
619 Second Street
Eureka, California 95501
Contact: Cheri Sanville
Phone: 707-441-5901



Lead Agency (if different from above)
Humboldt County Dept. of Planning and Building
3015 H Street
Eureka, CA 95501
Contact: Steven Lazar
Phone: 707-445-7245

SUBJECT: Filing of Notice of Determination pursuant to Public Resources Code section 21108

State Clearinghouse Number: 2015102005

Project Title: Lacewell Water Diversion and Stream Crossings Project (Streambed Alteration Agreement No. 1600-2019-0560-R1)

Project Location: The project to be completed is located within the Mad River watershed, approximately 4.09 miles NW of the town of Fernwood, County of Humboldt, State of California. The project is located in Section 30, T06, R04, Humboldt Base and Meridian; in the Lord-Ellis Summit U.S. Geological Survey 7.5-minute quadrangle; Assessor's Parcel Number 316-172-02; latitude 40.8782 N and longitude -123.7720 W at the point of diversion (POD-1).

Project Description: This Agreement relies on the Notification materials and a desk review without a CDFW site inspection. The project is limited to three encroachments (Table 1). One encroachment is for water diversion from unnamed tributaries to Redwood Creek. Water is diverted for domestic use and irrigation. Work for the water diversion will include use and maintenance of the water diversion infrastructure. The two other proposed encroachments are to upgrade failing and undersized culverts. Work for these encroachments will include excavation, removal of the failing culverts, replacement with new properly sized culverts, backfilling and compaction of fill, and rock armoring as necessary to minimize erosion.

Table 1. Project Encroachments with Description

ID	Latitude/Longitude	Description
POD-1	40.8782, -123.7720	Instream water diversion. Permittee shall bypass 80% of stream flow. Rate of diversion shall be no more than 3 gallons per minute . Permittee shall implement seasonal diversion minimization and limit total daily diversion to 300 gallons per day from May 15 – October 31 . Permittee shall submit a Diversion Infrastructure Plan to CDFW for approval within 60 days of the effective date of this Agreement.
Crossing-1	40.8782, -123.7719	Replace existing culvert with minimum 72" diameter culvert
Crossing-2	40.8759, -123.7759	Replace existing culvert with minimum 60" diameter culvert

No other projects that may be subject to FGC section 1602 were disclosed. This Agreement does not retroactively permit any constructed reservoirs (including "ponds"), stream crossings, water diversions, modifications to riparian buffers, or other encroachments not described in Table 1.

Determination: This is to advise that CDFW, acting as the Lead Agency / a Responsible Agency approved the above described project and has made the following determinations regarding the project pursuant to California Code of Regulations section 15096, subdivision (i):

1. The project will not have a significant effect on the environment. This determination is limited to effects within CDFW's permitting jurisdiction as a Responsible Agency.
2. A mitigated negative declaration / negative declaration was prepared for this project pursuant to the provisions of CEQA.
CDFW considered the mitigated negative declaration / negative declaration prepared by the Lead Agency for this project pursuant to California Code of Regulations section 15096, subdivision (f).
3. Mitigation measures were / were not made a condition of CDFW's approval of the project.
4. A mitigation reporting or monitoring plan was / was not adopted by CDFW for this project.
5. A Statement of Overriding Considerations was not adopted by CDFW for this project.
6. Findings were not made by CDFW pursuant to Public Resources Code section 21081, subdivision (a).

The mitigated negative declaration / negative declaration prepared for the project is available to the general public at the office location listed above for the Lead Agency. CDFW's record related to the Lake or Streambed Alteration Agreement is available to the public for review at CDFW's regional office.

Signature _____ Date: _____
Cheri Sanville, Senior Environmental Scientist Supervisor

Date Received for filing at OPR: _____